# THURSDAY, MARCH 14, 2002

#### SEVENTY-EIGHTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Reverend Kevin Shrum, Inglewood Baptist Church, Nashville, Tennessee.

Representative Turner (Davidson) led the House in the Pledge of Allegiance to the Flag.

### ROLL CALL

Present	95	
Representatives present were	e: Armstrong, Arriola, Baird, Beavers, Bittle, Black,	Bone,
Bowers, Boyer, Briley, Brooks, Brow	wn, Buck, Bunch, Buttry, Casada, Chumney, Clem	, Cole
(Carter), Cole (Dyer), Cooper, Curtis:	s, Davidson, Davis (Washington), Davis (Cocke), D	eBerry
J, DeBerry L, Dunn, Ferguson, Fitz	zhugh, Ford, Fowlkes, Fraley, Garrett, Givens, G	odsey,
Goine Hannord Harnett Harnrove I	Harwell Head Hood Johnson Jones S Jones II	Kent

# EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Caldwell; personal reasons.

The roll call was taken with the following results:

Representative Lewis: personal reasons.

Representative McMillan; personal reasons.

Representative Todd; personal reasons.

### SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 699: Rep(s). Garrett as prime sponsor(s).

House Joint Resolution No. 714: Rep(s). Bone as prime sponsor(s).

House Joint Resolution No. 731: Rep(s), Beavers as prime sponsor(s),

House Joint Resolution No. 737: Rep(s), Maddox and Pinion as prime sponsor(s).

House Bill No. 125: Rep(s). Arriola, Briley, S. Jones, Pruitt, Garrett, Langster, Odom, West, Harwell and Fowlkes as prime sponsor(s).

House Bill No. 2259: Rep(s). Black and Bowers as prime sponsor(s).

House Bill No. 2269: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 2896: Rep(s). Roach and Montgomery as prime sponsor(s).

House Bill No. 3201: Rep(s), Black as prime sponsor(s),

### SPONSORS REMOVED

On motion, Rep(s). Bittle, Buttry, Rinks, Maddox and Ford was/were removed as sponsor(s) of House Bill No. 2957.

### ENROLLED BILLS March 12, 2002

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2101, also, House Joint Resolution(s) No(s). 715 and 724.

BETTY KAY FRANCIS, Chief Engrossing Clerk,

### SIGNED March 12, 2002

The Speaker signed the following: House Bill(s) No(s). 2101, also, House Joint Resolution(s) No(s). 715 and 724.

BETTY KAY FRANCIS. Chief Engrossing Clerk.

### MESSAGE FROM THE SENATE March 12, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2101; also, House Joint Resolution(s) No(s). 715 and 724; signed by the Speaker.

RUSSELL A. HUMPHREY. Chief Clerk.

# REPORT OF CHIEF ENGROSSING CLERK March 12, 2002

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s), 2101; also, House Joint Resolution(s) No(s), 715 and 724.

BETTY KAY FRANCIS. Chief Engrossing Clerk.

### MESSAGE FROM THE SENATE March 12, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s), 2011.
2012, 2015, 2037, 2040, 2045, 2048, 2079, 2080, 2082, 2112, 2276, 2386, 2493, 2526, 2526, 2875, 2912, 2967, 3134; also, Senate Joint Resolution(s) No(s), 552, 558, 539, 540, 542, 543, 544, 545, 546, 547, 548, 565 and 595 for the signature of the Speaker.

RUSSELL A HUMPHREY Chief Clerk

# SIGNED March 12, 2002

The Speaker signed the following: Senate Bill(s) No(s). 2011, 2012, 2037, 2040, 2045, 2048, 2079, 2080, 2082, 2112, 2276, 2368, 2493, 2526, 2552, 2575, 2912, 2967, 324 also, Senate Joint Resolution(s) No(s). 532, 536, 539, 540, 542, 543, 544, 545, 546, 547, 548, 565 and 596.

### RESOLUTIONS REFERRED March 13, 2002

Pursuant to Rule No. 44, the following resolution(s) was/were referred to the following Committee(s):

\*House Resolution No. 222 — General Assembly, Statement of Intent or Position - Endorses participation of Republic of China in World Health Organization. by \*Kisber.

House Health and Human Resources Committee

\*House Joint Resolution No. 723 — Highway Signs - "Lester Hailey Parkway", U.S. 51 within Town of Troy, Obion County. by \*Pinion.

House Transportation Committee

\*House Joint Resolution No. 735 — Highway Signs - Designates U.S. Highway 45W in Gibson County as "Blue Star Memorial Highway". by \*Phelan.

House Transportation Committee

House Joint Resolution No. 741 -- General Assembly, Confirmation of Appointment Confirms appointment of Sara Kyle as director of TRA, by \*Naifeh, \*Rinks.

House Commerce Committee

\*House Joint Resolution No. 742 — General Assembly, Confirmation of Appointment Confirms appointment of Pat Miller as director of TRA. by \*Briley, \*Jones, S..

House Commerce Committee

\*House Joint Resolution No. 743 — General Assembly, Confirmation of Appointment - Confirms appointment of Deborah Taylor Tate as director of TRA. by \*McDaniel, \*Boyer.

House Commerce Committee

# SENATE JOINT RESOLUTIONS REFERRED March 13, 2002

Pursuant to Rule No. 44, the following resolution(s) was/were referred to the following Committee(s):

Senate Joint Resolution No. 490 -- Naming and Designating - Designates second week of May, 2002, as "Nurses Week." by \*McNally, \*Haun, \*Dixon, \*Herron.

House Health and Human Resources Committee

"Senate Joint Resolution No. 576 — Memorials, Government Officials - Expresses support for division of forestry's commitment to sustainable forest management in state forest system; commends division for attaining certification from Forest Stewardship Council and meeting preliminary requirements to proceed with certification process under Sustainable Forestry Initiative, by "Ramsex."

House Conservation and Environment Committee

# INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

\*House Resolution No. 222 — General Assembly, Statement of Intent or Position - Endorses participation of Republic of China in World Health Organization. by \*Kisber.

Previously referred to the House Health and Human Resources Committee

\*House Joint Resolution No. 723 — Highway Signs - "Lester Hailey Parkway", U.S. 51 within Town of Troy, Obion County, by \*Pinion.

Previously referred to the House Transportation Committee

\*House Joint Resolution No. 735 — Highway Signs - Designates U.S. Highway 45W in Gibson County as "Blue Star Memorial Highway". by \*Phelan.

Previously referred to the House Transportation Committee

House Joint Resolution No. 741 -- General Assembly, Confirmation of Appointment - Confirms appointment of Sara Kyle as director of TRA, by \*Naifeh, \*Rinks.

Previously referred to the House Commerce Committee

\*House Joint Resolution No. 742 — General Assembly, Confirmation of Appointment - Confirms appointment of Pat Miller as director of TRA. by \*Briley, \*Jones, S...

Previously referred to the House Commerce Committee

\*House Joint Resolution No. 743 — General Assembly, Confirmation of Appointment - Confirms appointment of Deborah Taylor Tate as director of TRA, by \*McDaniel, \*Boyer.

Previously referred to the House Commerce Committee

#### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 18, 2002:

House Resolution No. 231 -- Memorials, Public Service - Tyson Foods, Inc. by \*Phillips, \*Garrett, \*Pinion.

House Joint Resolution No. 745 - Memorials, Sports - Vanderbilt Women's Baskethall Team, 2002 SEC Tournament Champions. by 'Langster, 'McMillian, 'Roach, 'Ferguson, 'Kisber, 'Ridgeway, 'Shepard, 'Tindel, 'Arriola, 'Prutt, 'Curtiss, 'Godsey, 'McCord, 'McChaniel, 'Brooks, 'Scrogas, 'Davis (Washington), 'Hagod, 'Phinon, 'Boyer, 'McDonald, 'Bittle, 'Bone, 'Baird, 'Davis (Cocke), 'Goins, 'Davidson, 'Buck, 'Hood, 'Garrett, 'Lewis, 'Brown, 'Kernell, 'Maddon,'

House Joint Resolution No. 747 -- Memorials, Death - Judson Boyton Murphy. by \*Overbey, \*McCord.

### RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 490 — Naming and Designating - Designates second week of May, 2002, as "Nurses Week.", by \*McNally, \*Haun, \*Dixon, \*Herron.

Previously referred to the House Health and Human Resources Committee

\*Senate Joint Resolution No. 567 — General Assembly, Directed Studies - Requires inter-departmental study of autism and creates special joint committee to recommend any necessary legislation. by 'Cooper J.

House Finance, Ways and Means Committee

"Senate Joint Resolution No. 576 — Memorials, Government Officials - Expresses support for division of forestry's commitment to sustainable forest management in state forest system; commends division for attaining certification from Forest Stewardship Council and meeting preliminary requirements to proceed with certification process under Sustainable Forestry Initiative, by "Ramsev.

Previously referred to the House Conservation and Environment Committee

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3247 — Harriman - Subject to local approval, revises powers and duties of city council; changes date on which interest on city tax debt begins to accrue, makes other various changes to city charter. Amends Chapter 49 of the Acts of 1891; as amended, by "Ferouson."

House Bill No. 3248 -- Polk County - Subject to local approval, revises school board. -Repeals Chapter 190 of the Private Acts of 1975. by \*Newton.

House Bill No. 3249 — Erin - Subject to local approval, provides for four-year term of office of mayor and aldermen instead of two-year term. Amends Chapter 403 of the Private Acts of 1951, as amended. by 'Ridgeway.

# DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3237, was/were referred to the Delayed Bills Committee.

"House Bill No. 3237 — Hardin County - Subject to local approval, deletes provision that county clerk is clerk responsible for probate and administration of estate matters rather than clerk and master and directs county clerk to transfer all probate related files to clerk and master by August 1, 2002. Amends TCA Section 16-16-201. by "Rinds".

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

"Senate Bill No. 1438 — Courts, Supreme Court of Tennessee - Increases from three for four number of assignments in one year that senior judge must decline without good cause in order to have such judge's certification as senior judge terminated. Amends TCA Title 17, Chapter 2, Part 3. by "Person, (HB896 by "Buck, "Briley)

"Senate Bill No. 2077 - Sunset Laws - Tennessee Duck River development agency, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1. by "Harper, "Burchett, "Trail (HB2742 by "Kernell. "Brooks, "Cooper B)

"Senate Bill No. 2094 — Sunset Laws - Southern dairy compact, June 30, 2003. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 35. by "Harper, "Burchett, "Trail. (HB2757 by "Kernell, "Brooks, "Cooper B)

\*Senate Bill No. 2114 — Sunset Laws - Council of certified professional midwifery, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 10. by \*Harper, \*Burchett. \*Trail. (HB2736 by \*Kernell. \*Brooks. \*Cooper B)

Senate Bill No. 2129 - Motor Vehicles, Titling and Registration - Authorizes issuance of emergency license plates to full-time police officers. Amends TCA Title 55, Chapter 4. by \*McNally, \*Kurita, \*Williams, Sen., \*Ramsey, \*Burks, (\*HB2061 by \*Kent)

Senate Bill No. 2233 — Public Defenders - Requires that \$12.50 court cost collected for purpose of defraying cost of legal representation of indigent criminal defendants in multicounty judicial districts be remitted to executive director of public defender conference for use as supplemental funding for public defender in such multi-county district. Amends TCA Section 401-4210. by "Jackson." (HB2128 by "McMillar)

"Senate Bill No. 2289 — TennCare - Requires director of TennCare bureau, after consultation with director of TBI and attorney general and reporter, to report by January 1, 2003, on health care fraud to select committee on TennCare oversight. Amends TCA Title 56 and Title 71. by "Dixon. (HB2474 by "DeBerry J)

Senate Bill No. 2414 — Workers' Compensation - Requires advisory council on workers' compensation to report to special joint committee on workers' compensation concerning settlement standards, loss costs system, and assigned risk pool by January 15, 2003. Amends TCA Title 38, Chapter 6, Title 50 and Title 56, by Haynes, (\*HB2276 by \*Kisber)

"Senate Bill No. 2528 — Hazardous Materials - Clarifies and delineates parameters of definition of "costs" relative to removal or abatement of hazardous substances discharges. Amends TCA Section 582-504(b)(1)(A). by "Ramsey. (HB2978 by "Westmoreland)

"Senate Bill No. 2546 — Taxes - Puts into place sales tax rate of 7 percent until July 1, 2002; places tax on services, with revenues from medical services earmarket for TennCare; changes sales tax rate to 4.25 percent and eliminates most exemptions effective July 1, 2002; eliminates all state taxes July 1, 2003. Amends TOA Title 3, Title 4, Title 167, Title 9, Title 9, Title 9, Title 11, Title 16, Title 9, Title 20, Title 30, Title 40, Title 43, Title 41, Title 45, Title 45, Title 45, Title 51, Title 56, Title 55, Title 56, Title 56, Title 57, Title 50, Title 57, Title

Senate Bill No. 2811 — County Government - Allows precincts in county commission districts to be split upon written certification by coordinator of elections upon considering, among other things, type of voting equipment and racial makeup. Amends TCA Section 5-1-111, by 'Rochelle, C'HB2384 by 'Buck, 'Winninghams'

Senate Bill No. 2930 — Foster Care - Restates purpose of permanency hearings and available goals under permanency plans for children in custody of department of children's services to include planned permanent living arrangement instead of permanent foster care and emanciation. — TOA Titles 372-403, 372-409, 372-411 by Person, ("HB283 by "Patton)

Senate Bill No. 2949 — Air Pollution - Authorizes technical secretary of air pollution control board to issue permits consistent with board's rules and all federal requirements of Clean Air Act. by "Ramsey, ("HB2902 by "McCord)

# HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3233 - Ridgely - Local Bill Held on House Desk

House Bill No. 3234 - Putnam County - Local Bill Held on House Desk

House Bill No. 3235 - Sumner County - Local Bill Held on House Desk

House Bill No. 3236 - Athens - Local Bill Held on House Desk

House Bill No. 3238 - Van Buren County - Local Bill Held on House Desk

House Bill No. 3239 - Anderson County - Local Bill Held on House Desk

House Bill No. 3240 -- Bristol -- Local Bill Held on House Desk

House Bill No. 3241 -- Mountain City -- Local Bill Held on House Desk

House Bill No. 3242 -- Johnson County -- Local Bill Held on House Desk

House Bill No. 3243 - Clarksville - Local Bill Held on House Desk

House Bill No. 3244 - Weakley County - Local Bill Held on House Desk

House Bill No. 3245 - Hawkins County - Local Bill Held on House Desk

### REPORTS FROM STANDING COMMITTEES

The committees that met on March 12, 2002, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for March 14, 2002: House Bill(s) No(s), 1108, 3014, 3073, 2509, 2509, 2259, 2047, 2822, 2896, 2906. House Joint Resolution(s) No(s), 125. House Bill(s) No(s), 2390 and 2536.

The Committee also set the following bill(s) and/or resolution(s) on the Regular Calendar for March 21, 2002: House Bill(s) No(s), 3013.

The Committee further reports that the following bill(s) and/or resolution(s) were set on the Consent Calendar for March 14, 2002. House Bill(s) No(s), 2694, 2365, 2191, 3101, 2368, 2403, 2357, 2532, 2483, 2905, 2541, 2662, 2477, House Resolution(s) No(s). 207, 208, 209 and 212.

#### AGRICUI TURE

The Agriculture Committee recommended for passage: Senate Joint Resolution(s) No(s). 504, also House Bill(s) No(s). 2769 and 2121 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### CHILDREN AND FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: House Bill(s) No(s). 2968. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2907 with amendments. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

### COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s), 3196; also house Bill(s) No(s), 2953 and 834 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 2247, 2637, also House Bill(s) No(s). 2874 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2779, 2900, 3165, also House Bill(s) No(s). 1537 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s): 2069 with amendments. Pursuant to Rule No. 72, each was referred to the Finance. Ways and Means Committee.

### FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s) 2159, 2683, 2643, 2860, 2422, 2257, 2419, 2344, 2961, 2668, also House Bill(s) No. 2859 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee

#### GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s), 2741, 2749 and 2751. Under the rules, each was transmitted to the Calendar and Rules Committee

The Committee also recommended that House Bill(s) No(s), 2502 with amendments be transmitted to the Agriculture Committee, House Bill(s) No(s), 2076, 2078, 2090, also House Bill(s) No(s), 2089 with amendments be transmitted to the Commerce Committee, House Bill(s) No(s), 1595 be transmitted to the Conservation and Environment Committee, House Bill(s) No(s), 2316, 2721 be transmitted to the Education Committee, House Joint Resolution(s) No(s), 598 be transmitted to the State and Local Government Committee.

#### HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s), 2271 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3015, 2339 and 1736 with amendments. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

### STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s), 2776, 2940, 3140, House Joint Resolution(s) No(s), 672, also House Bill(s) No(s), 2384, 2441 and 2869 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2371; also House Bill(s) No(s). 3131 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance. Ways and Means Committee.

The Committee further reports that House Bill No. 1601 was considered, but failed to pass.

### REPORTS FROM STANDING COMMITTEES

The committees that met on March 13, 2002, reported the following:

### CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 2398, also House Bill(s) No(s). 3138 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s), 2957 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee

#### HIDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 3149, 2653, 2219, also House Bill(s) No(s). 2351, 2928 and 2505 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s), 2542, House Joint Resolution(s) No(s), 533, also House Bill(s) No(s), 2918 with amendments. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2956. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s), 2656, 2649, also House Bill(s) No(s), 2519 and 3161 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee

### REPORTS FROM STANDING COMMITTEES

The committees that met on March 14, 2002, reported the following:

### COMMITTEE ON CALENDAR AND RULES.

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for March 18, 2002: House Bill(s) No(s), 1913, 2874, 1901, 2361, 2618, 2337, 834, 3196, 2620, 2441, 2271, 2247, 2404, 2615 and 2108.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for March 18, 2002. House Bill(s) Mo(s). 2655. 2687, 2687, 3120, 3121, 2579, 3146, 2572, 2743, 2716, 2757, 2767, 2261, 2116, 2908, 2900, 2897, 2257, 2419 and 2422.

The Committee further reports that House Bill No. 2957 was re-referred to the Finance, Ways and Means Committee.

# CAPTION BILLS REFERRED March 12, 2002

Pursuant to Rule No. 47, the following Caption Bill(s), 76 held on the Clerk's desk were referred to the following Committee(s):

\*House Bill No. 76 - Cemeteries - House Commerce Committee

# CAPTION BILLS REFERRED March 13, 2002

Pursuant to Rule No. 47, the following Caption Bill(s), 1893, 3184, 1723, 1724, 1725, 2200, 2201 and 2199 held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 1893 -- Motor Vehicles, Titling and Registration - House Transportation Committee

\*House Bill No. 3184 -- Drugs - House Judiciary Committee

House Bill No. 1723 - Equalization Board - House Finance, Ways and Means Committee

House Bill No. 1724 - Equalization Board - House Finance, Ways and Means Committee

House Bill No. 1725 -- Taxes, Real Property - House Finance, Ways and Means Committee

\*House Bill No. 2200 -- Taxes, Real Property - House State and Local Government Committee

\*House Bill No. 2201 -- Taxes, Real Property - House State and Local Government Committee

\*House Bill No. 2199 -- County Government - House State and Local Government Committee

# CONSENT CALENDAR

\*House Bill No. 2694 — Consumer Protection - Makes it unfair or deceptive act under Consumer Protection Act to impose more than \$5.00 charge per automatic debit from person's bank account. Amends TCA Title 47. Chapter 19, Part 1. by "Bowers. (SB2898 by "Cohen)

House Resolution No. 207 — Court Rules - Approves amendments and revisions to Tennessee Rules of Evidence promulgated by supreme court. by "Buck, "Briley, "Scroggs, "Sands

House Resolution No. 208 — Court Rules - Approves amendments and revisions to Tennessee Rules of Criminal Procedure promulgated by supreme court. by "Buck, "Briley, "Scroggs, "Sands.

House Resolution No. 209 — Court Rules - Approves amendments and revisions to Tennessee Rules of Civil Procedure promulgated by supreme court. by \*Buck, \*Briley, \*Scroops. \*Sands.

House Resolution No. 212 — Court Rules - Approves amendments and revisions to Tennessee Rules of Appellate Procedure promulgated by supreme court. by "Buck, "McMillan, "Sands

\*House Bill No. 2365 — Hospitals and Health Care Facilities - Requires ambulatory surgical treatment centers to report certain information. Amends TCA Title 68. by \*DeBerry L. (SB2407 by \*Ford J)

On motion, House Bill No. 2365 was made to conform with Senate Bill No. 2407; the Senate Bill was substituted for the House Bill.

House Bill No. 2191 — Highway Signs - "Blanche Ward Berry Bridge," S.R. 91 in Carter County. by \*Cole (Carter). (\*SB2189 by \*Crowe)

On motion, House Bill No. 2191 was made to conform with Senate Bill No. 2189; the Senate Bill was substituted for the House Bill

"House Bill No. 3101 — Alcoholic Beverages - Clarifies definition of phrase "on the same location" for purpose of previously existing beer permits to mean within boundaries of parcel or tract on which business is located. Amends TCA Section 57-5-109. by "Pruitt, "Langster (SB3036 by "Harros").

\*House Bill No. 2368 — Purchasing - Increases amount for transactions requiring formal sealed bids from \$2,500 to \$10,000 for cities with modified manager-council charter. Amends TCA Section 6-35-205, by \*Pinion, \*Cole (Carten), (SB2496 by \*Herron).

House Bill No. 2403 -- Correctional Programs - Extends select oversight committee on corrections from 2001 to 2005. Amends TCA Section 3-15-109. by "Pinion, "Windle, "Langster, "Todd, "McKee, "DeBerry L. ("SB2332 by "Fowler)"

House Bill No. 2357 -- Health Care - Prohibits discrimination against physician assistants by managed health insurance issuers. Amends TCA Section 56-32-237. by "Maddox. ("SB2162 by "Clabough")

House Bill No. 2532 -- Cooperatives - Permits electric cooperatives to make and accept charitable contributions. Amends TCA Section 65-25-205. by "Walker . ("SB2385 by "Trail")

On motion, House Bill No. 2532 was made to conform with Senate Bill No. 2385; the Senate Bill was substituted for the House Bill

House Bill No. 2483 — Handgun Permits - Removes requirement that handgun carry permit holder's social security number must appear on handgun carry permit but provides that present permits displaying social security number remain valid. Amends TCA Title 39, Chapter 17, Parl 13, by Bittle, 'Black', Chipson,' Buttry, 'Baird', ('SB2157 by 'McND12).

"House Bill No. 2905 — Boards and Commissions - Clarifies that products made by immates or disabled persons for sale to state agencies are certified pursuant to procedures approved by board of standards, not by board itself. Amends TCA Title 41, Chapter 22, by "Ford S, (S82952 V" Haun)

On motion, House Bill No. 2905 was made to conform with Senate Bill No. 2952; the Senate Bill was substituted for the House Bill.

House Bill No. 2541 — Courts, General Sessions - Revises census figures applicable to Knox County by 1980 census to eliminate application to Hamilton County of law giving sole and exclusive jurisdiction to general sessions court over municipal courts in county for motor vehicle and DUI fines, forfeitures, and penalties. Amends TCA Section 40-4-121. by "Wood, "Shap", "Vincent, "Clem", ("SSESTS by "Crutchfield, "Fowler)

On motion, House Bill No. 2541 was made to conform with Senate Bill No. 2515; the Senate Bill was substituted for the House Bill.

House Bill No. 2662 — Codes - Revises applicable official electric safety code from August 1, 1996, code to August 1, 2001, code. Amends TCA Title 68, Chapter 101. by \*Cole (Dyer). ("SB2797 by \*Rochelle)

On motion, House Bill No. 2662 was made to conform with Senate Bill No. 2797; the Senate Bill was substituted for the House Bill.

House Bill No. 2477 — Tobacco, Tobacco Products - Redefines "tobacco products" to include beedies and bidis, prohibits sale of beedies or bidis as tobacco products to minors. Amends TCA Title 39, Chapter 17, Part 15, by "Patton, ("SB2371 by "Miller J)

On motion, House Bill No. 2477 was made to conform with Senate Bill No. 2371; the Senate Bill was substituted for the House Bill

House Bill No. 3218 - Lake County - Subject to local approval, restructures Lake County highway commission to be composed of six members, with three elected from each of two highway commission districts. Amends Chapter 262 of the Private Acts of 1980. by \*Pinion. (583172 by \*Herror)

House Bill No. 3219 — Lake County - Subject to local approval, restructures Lake County board of education from five members to eight members, with two to be elected from each county commission district. - Repeals Chapter 182 of the Private Acts of 1992. by \*Pinion. (583174 by \*Herron)

House Resolution No. 217 - Memorials, Recognition - Katherine Elizabeth Farrar. by \*Phillips.

House Resolution No. 218 — Memorials, Personal Occasion - Rosemary Widener and Herbert A. Barker, 40th wedding anniversary, by \*Godsey.

House Resolution No. 219 -- Memorials, Sports - Schilling Farms Middle School Cheerleading Team. by \*Scroops.

House Resolution No. 220 - Memorials, Sports - Germantown Middle School Pompon Squad, National Dance Team Championships, Junior High Pom Division Champions. by \*Scroqus.

House Resolution No. 221 -- Memorials, Recognition - USS Tennessee, adoption of Sullivan North High School Naval Junior Reserve Officers Training Corps. by \*Godsey.

House Joint Resolution No. 694 - Memorials, Sports - David Gossett, Tennessee Sports Hall of Fame. by \*Stanley.

House Joint Resolution No. 695 — Memorials, Congratulations - Ashley Newcomb of Lenoir City, Prudential Spirit of Community Award nominee. by \*Johnson, \*Overbey, \*Ferguson.

House Joint Resolution No. 696 — Memorials, Sports - Shadowlawn Middle School Girls Basketball, 2002 Shelby County Tournament Champions. by \*Hargett.

House Joint Resolution No. 697 — Memorials, Academic Achievement - Justin King, Soddy-Daisy High School Senior, perfect comprehensive score of 36 on ACT. by \*Clem.

House Joint Resolution No. 699 -- Memorials, Public Service - Miles Ezell, Jr. by \*McDonald.

House Joint Resolution No. 700 - Memorials, Recognition - Ruth "Babe" Carter. by \*McDonald.

House Joint Resolution No. 701 -- Memorials, Congratulations - Jennifer Jeansonne, Prudential Spirit of Community Awards, by \*White.

House Joint Resolution No. 702 -- Memorials, Retirement - Richard A. Buerger. by \*Sargent.

House Joint Resolution No. 703 -- Memorials, Personal Achievement - Harold G. Woods, 2001 Jayne Thomas Grassroots Volunteer Recognition Award, by \*Caldwell,

House Joint Resolution No. 705 -- Memorials, Personal Achievement - Douglas Edward Hunter, II, Eagle Scout. by \*Jones, S.,

House Joint Resolution No. 706 -- Memorials, Personal Occasion - Vernon and Dorothy Vandiver, 69th Wedding Anniversary. by \*Ford S.

House Joint Resolution No. 707 — Memorials, Personal Occasion - Allen and Mable French, 65th wedding anniversary. by "Ford S.

House Joint Resolution No. 708 -- Memorials, Professional Achievement - Mark Workman, Hamblen County 9-12 Teacher of the Year. by \*Ford S.

House Joint Resolution No. 709 — Memorials, Academic Achievement - Brandi McClanahan, Hamblen County Spelling Bee Champion. by \*Ford S.

House Joint Resolution No. 710 — Memorials, Congratulations - Taylor Stamps. by \*Scroggs.

House Joint Resolution No. 711 -- Memorials, Congratulations - Patricia Ellingwood, 2002 Prudential Spirit of Community Award Distinguished Finalist, by \*Montgomery.

House Joint Resolution No. 712 -- Memorials, Recognition - JoAnn Burchfield, Hamblen County pre-K-4 Teacher of the Year. by \*Ford S.

House Joint Resolution No. 713 -- Memorials, Death - Leon "Buster" Braden. by \*Baird.

House Joint Resolution No. 714 — Memorials, Sports - Mt. Juliet High School Lady Bears. 2001-2002 TSSAA District 9-AAA Champions. by \*Beavers.

House Joint Resolution No. 716 - Memorials, Recognition - Anne Brown. by \*Hargrove.

House Joint Resolution No. 717 -- Memorials, Personal Achievement - Harold G. Woods, 2001 Jayne Thomas Grassroots Volunteer Recognition Award, by \*Caldwell.

House Joint Resolution No. 720 -- Memorials, Death - Dr. Charles Jones. by \*Davis (Washington), \*Patton, \*Mumpower.

House Joint Resolution No. 721 -- Memorials, Recognition - Robert Jackson (Bobby) Joslin, Jr. by \*West.

House Joint Resolution No. 725 -- Memorials, Congratulations - Marilyn and Jerry Rowden, 2002 recipients of Joy Dirksen Baker Award. by \*McKee.

House Joint Resolution No. 726 -- Memorials, Personal Occasion - Ms. Annie Cox, 79th birthday, by \*Bone, \*Buck,

House Joint Resolution No. 728 -- Memorials, Retirement - Jon Allen Collins. by \*McDonald.

House Joint Resolution No. 730 -- Memorials, Recognition - Deborah Newcomb, Prudential Spirit of Community Award winner. by \*Ferguson, \*Johnson, \*Overbey.

House Joint Resolution No. 731 - Memorials, Congratulations - Hendersonville Christian Academy, by \*Black.

House Joint Resolution No. 732 - Memorials, Professional Achievement - David L. Solomon, named to AICPA Hall of Fame. by \*Harwell.

House Joint Resolution No. 733 — Memorials, Congratulations - Amy Bullard of Knoxville, Prudential Spirit of Community Award Distinguished Finalist. by "Dunn, "Buttry, "Caldwell." Black. "Brooks, "Armstrong." Towns.

Senate Joint Resolution No. 549 -- Memorials, Retirement - Tommy Haun, Monroe County Trustee. by \*McNally, \*Haun, \*Harper.

Senate Joint Resolution No. 550 -- Memorials, Recognition - Bradley Memorial Hospital, 50 year anniversary. by \*Miller J, \*Burks, \*Haun.

Senate Joint Resolution No. 551  $\,-\,$  Memorials, Retirement - Bobby Lee Thompson. by \*Rochelle, \*Burks.

Senate Joint Resolution No. 553 -- Memorials, Death - Ray Hixson Minton. by \*Rochelle, \*Trail.

Senate Joint Resolution No. 556 -- Memorials, Death - Sherry Mays, Damon Wells, and Demetria Mays. by \*Herron.

 $\textbf{Senate Joint Resolution No. 574} \ \, -- \ \, \text{Memorials, Public Service - Jim Rippy, Jr., Pride of Obion County. by *Herron.}$ 

Senate Joint Resolution No. 575 - Memorials, Death - Rupell Murphey Speight. by \*Herron.

Senate Joint Resolution No. 577 — Memorials, Recognition - Amy Bullard, 2002 Prudential Spirit of Community Award Distinguished Finalist: by "McNally, "Atchley, "Burchett, "Williams, Sen...

Senate Joint Resolution No. 578 -- Memorials, Recognition - Matthew LeSage, 2002 Prudential Spirit of Community Award Distinguished Finalist. by "McNally, "Atchley, "Burchett, "Williams, Sen..

Senate Joint Resolution No. 579 — Memorials, Death - Dalton James Dotson. by 'Jackson, 'Atchley, 'Blackburn, 'Burchett, 'Burks, 'Carler, 'Clabough, 'Cohen, 'Cooper J, 'Crowe, 'Crutchfield, 'Davis L, 'Dixon, 'Elsea, 'Ford J, 'Fowler, 'Graves, 'Harper, 'Haun, 'Haynes, 'Henry, 'Herron, 'Jackson, 'Kurita, 'Kyle, 'McNally, 'Miller J, 'Norris, 'Person, 'Ramsey, 'Rochelle, 'Trall, 'Wilder, 'Williams Sen.

Senate Joint Resolution No. 580 — Memorials, Academic Achievement - Montgomery Bell Academy and Class of 2002. by \*Henry.

Senate Joint Resolution No. 581 - Memorials, Recognition - Deborah Newcomb, 2002 Prudential Spirit of Community Award. by \*Miller J.

Senate Joint Resolution No. 582 — Memorials, Recognition - Macon County High School Football Cheerleaders. by "Rochelle, "Davis L, "Burks.

Senate Joint Resolution No. 583 — Memorials, Sports - Mount Juliet Middle School Lady Bears, 2002 Basketball State Champions. by \*Rochelle, \*Davis L.

Senate Joint Resolution No. 585 — Memorials, Recognition - Deborah Newcomb, 2002 Prudential Spirit of Community Award Distinguished Finalist. by "McNally, "Atchley, "Burchett." Williams, Sen.

Senate Joint Resolution No. 588 — Memorials, Sports - St. Mary's Episcopal School, 2001 TSSAA Tennis Team and Doubles State Champions. by "Person, "Kyle.

Senate Joint Resolution No. 594 — Memorials, Recognition - Inner Cities Ministries, Inc. of Chattanooga, by \*Fowler, \*Crutchfield.

Senate Joint Resolution No. 559 — Memorials, Recognition - Citizens of East Tennessee for gift of Freedom Engine to NYC Fire Department. by "McNally, "Atchley, "Burchett, "Crowe, "Haun, "Williams, Sen..

Senate Joint Resolution No. 560 - Memorials, Death - Jewel Jackson Shelton. by \*Jackson.

Senate Joint Resolution No. 561 -- Memorials, Death - Virginia Vaughan, by \*Herron.

Senate Joint Resolution No. 564 - Memorials, Public Service - William R. Gilmore. by \*Jackson.

Senate Joint Resolution No. 566 - Memorials, Death - Leon "Buster" Braden. by \*McNally.

Senate Joint Resolution No. 568 -- Memorials, Death - Napoleon Bonaparte Patton. by \*Crutchfield.

Senate Joint Resolution No. 570 — Memorials, Retirement - Patsy Floyd. by \*Kyle, \*Person, \*Norris.

Senate Joint Resolution No. 571 -- Memorials, Personal Achievement - Elizabeth Gill, Tennessee High School Rodeo Queen 2001-2002. by \*Person.

Senate Joint Resolution No. 573 — Memorials, Recognition - Elizabeth Bowers, 2002 Prudential Spirit of Community Awards Distinguished Finalist, by \*Crowe.

Senate Joint Resolution No. 586 -- Memorials, Public Service - Honors Junior League of Nashville on its 80th anniversary, by \*Henry.

Rep. McDonald moved that all members voting aye on House Joint Resolution(s) No(s). 699, 700 and 728 be added as sponsors, which motion prevailed.

#### OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2483: by Rep. Brooks

House Joint Resolution No. 726: by Rep. Bone

Under the rules, House Bill(s) No(s). 2483 and House Joint Resolution(s) No(s). 726 was/were placed at the foot of the calendar for March 18, 2002.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes91	
Noes0	
Present and not voting	

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Bowers, Boyer, Bliey, Brooks, Brown, Buck, Butthy, Casada, Chumney, Cleim, Cole (Catrel), Cole (Olyer), Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Glivens, Godsey, Golins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S., Jones U., Kent, Kernell, Klisber, Langster, Maddox, McCord, McClaneli, McChonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Prultt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Turnet (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr., Soeaker Naffeh — 91.

Representatives present and not voting were: Bunch -- 1.

A motion to reconsider was tabled.

### REGULAR CALENDAR

"House Bill No. 2055 — Firearms and Ammunition - Authorizes secretary of state, in consultation with commissioner of correction, to issue identification cards to vested correctional officers employed by department who are authorized to carry firearms at all times Amends TCA. Title 39, Chapter 17, Part 13, by "Windle." Timer (Davidson). "Ferruson, (SB2707 by "Davis L) Title 39, Chapter 17, Part 13, by "Windle." Timer (Davidson). "Ferruson, (SB2707 by "Davis L)

Further consideration of House Bill No. 2055 previously considered on March 11, 2002, at which time it was reset for today's Calendar.

Rep. Windle moved that **House Bill No. 2055** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89	,
Noes	0	į
Present and not voting	- 1	

Representatives voting aye were: Armstrong, Arniola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Butty, Casada, Chumeny, Clem, Cole (Catrel), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Codsey, Goins, Hagood, Hargett, Hargrout, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Maddox, McCord, McDaniel, McConald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Prutt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggo, Sharp, Shaw, Shepaer, Stanley, Tidwell, Tindell, Turner (Hamilton), Turner (Saeldys), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winnindham, Wood, Mr. Soeaker Nalife h. 98)

Representatives present and not voting were: Brooks - 1.

A motion to reconsider was tabled.

House Bill No. 2975 - Bristol - Subject to local approval, makes all council seats atlarge. Amends Chapter 84 of the Private Acts of 1991; as amended. by "Godsey, "Mumpower. (SB2979 by "Ramsey)

Further consideration of House Bill No. 2975 previously considered on March 11, 2002, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Godsey moved that House Bill No. 2975 be passed on third and final consideration.

Rep. Westmoreland moved the previous question, which motion prevailed.

Rep. Godsey moved that **House Bill No. 2975** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	
Noes	Ì
Present and not voting	

Representatives voting aye were: Armstrong, Arniola, Baird, Beavers, Bittle, Black, Bone, Boyer, Buck, Blunch, Buttly, Casada, Clem, Cole (Carter), Cole (Dyer), Curliss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kisber, Maddox, McCord, McDaniel, McChoenald, McKee, Montgomery, Mumpower, Newton, Odom, Overbey, Phelan, Phillips, Pinion, Pleasant, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shepaert, Stanley, Tidwell, Tindell, Turner (Hamilton), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh — 76

Representatives voting no were: Brooks, Cooper, Jones U, Pruitt, Shaw, Turner (Shelbv), Turner (Davidson) -- 7.

Representatives present and not voting were: Bowers, Briley, Brown, Chumney, Kernell, Miller -- 6.

A motion to reconsider was tabled

House Bill No. 3201 — Sumner County - Subject to local approval, creates additional general sessions court to be designated as Division III with judge thereof to be elected in August of 2004. Amends Chapter 236 of the Private Acts of 1982. by \*McDonald. (SB3159 by \*Graves)

Further consideration of House Bill No. 3201 previously considered on March 11, 2002, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. McDonald requested that House Bill No. 3201 be moved to the heel of the Calendar.

House Bill No. 2820 — Uniform Laws - Corrects technical drafting error in revised Uniform Commercial Code article IX by deleting unnecessary brackets and bracketed language. Amends TCA Title 47. Chapter 9. by "Fitzhudh. ("SB2805 by "Rochelle)

Further consideration of House Bill No. 2820 previously considered on March 11, 2002, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 2820 was made to conform with Senate Bill No. 2805; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that **Senate Bill No. 2805** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	)
Noes	)

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttly, Casada, Chumney, Clem, Cole (Caterly, Cole (Cyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fralley, Carrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kennell, Kisber, Maddox, McCord, McChariel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odorn, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruttl, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Timdell, Tumer (Hamilton), Turmer (Sheliby), Turner (Gavidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windel, Winningham, Wood, Mr. Speaker Nalfeh – 90.

A motion to reconsider was tabled.

House Bill No. 2821 — Uniform Commercial Code - Clarifies definition of "security interest" to distinguish between true leases and security interests. Amends TCA Section 47-1-201(38) by "Fitzhuch ("SB2806 by "Rochelle)

Further consideration of House Bill No. 2821 previously considered on March 11, 2002, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

### REGULAR CALENDAR, CONTINUED

On motion, House Bill No. 2821 was made to conform with Senate Bill No. 2806; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that **Senate Bill No. 2806** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	Ω

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttly, Casada, Chumney, Clem, Cole (Catrel), Cole (Cyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry I, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fralley, Carrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Prinon, Pleasant, Prutt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Turder (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Soeaker Naffeh — 91.

A motion to reconsider was tabled.

"House Bill No. 2499 — Managed Care Organizations - Caps HIMO enrollee's portion of co-insurance for basic health care services through participating network providers at twenty percent, instead of applying such cap to enrollee's cost-sharing requirements such as co-payments, deductibles or co-insurance. Amends TCA Section 55:32:204 by "Hagood," S'argent, "Cole (Dyer), "Lewis, (SB2625 by "Cooper J, "Clabough, "Crutchfield, "Graves, "Dixon")

Further consideration of House Bill No. 2499 previously considered on March 11, 2002, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 2499 was made to conform with Senate Bill No. 2625; the Senate Bill was substituted for the House Bill.

Rep. Hagood moved that **Senate Bill No. 2625** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Butthy, Casada, Chumeny, Clem, Cole (Catrel), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J. DoBerry I. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fralley, Carrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S., Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDanell, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sarpent, Söroggs, Sharp, Shaw, Shapard, Stanley, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitston, Windle, Winnionham, Wood, Mr. Speaker Naifeh – 92.

A motion to reconsider was tabled.

House Bill No. 2536 — Tennessee Bureau of Investigation - Authorizes director of TBI to commission TBI uniformed officers to protect TBI employees and facilities, authorizes such officers to carry firearms and make arrests. Amends TCA Title 38, Chapter 6, by \*Kent. (\*SB2676 by \*Person. \*Noris").

On motion, House Bill No. 2536 was made to conform with Senate Bill No. 2676; the Senate Bill was substituted for the House Bill.

Rep. Kent moved that Senate Bill No. 2676 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Kent moved that **Senate Bill No. 2676** be passed on third and final consideration, which motion prevailed by the following vote:

Aves	9	2
Noon		n

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry, Junn, Fergueno, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagoot, Junn, Fergueno, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagoot, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S., Jones U. Kent, Kernell, Kilsber, Langster, Maddox, McCord, McClaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Turnet (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland.

A motion to reconsider was tabled

House Bill No. 1108 — Criminal Procedure - Requires bounty hunters operating in state to attend annually eight hours of training by department of commerce and insurance, such training shall include nonviolent apprehension of persons. Amends TCA Title 40, Chapter 11, Part 3. by "West," (SB1938.2 by "Kurita)

Rep. West moved that House Bill No. 1108 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

# Amendment No. 1

AMEND House Bill No. 1108 By deleting the language "department of commerce and insurance" in the first sentence of the amendatory language of Section 1 and by substituting instead the language "Tennessee association of professional bail agents".

AND FURTHER AMEND by deleting the language "department" in the fourth sentence of the amendatory language of Section 1 and by substituting instead the language "Tennessee association of professional bail agents".

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. West moved that House Bill No. 1108 be reset for the Regular Calendar on March 21, 2002, which motion prevailed.

\*House Bill No. 3014 -- Taxes, Privilege - Revises procedure for calculating recordation tax due on secured property located partially in and partially outside Tennessee. Amends TCA Section 67-4-409. by \*Kisber. (SB3039 by \*Haynes)

### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair

# REGULAR CALENDAR, CONTINUED

Rep. Kisber moved that House Bill No. 3014 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

### Amendment No. 1

AMEND House Bill No. 3014 by deleting from the amendatory Section 67-4-409(b)(7)(ii)(F) of Section 1 of the printed bill the language "or the value determined by any other commercially reasonable method consistently applied".

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Kisber moved that **House Bill No. 3014**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes91	
Noes	
Present and not voting1	

Representatives voting aye were: Armstrong, Arniola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Birley, Brown, Buck, Bunch, Buttry, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry J, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fralley, Carrett, Givens, Gonis, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McChaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stalley, Tidwell, Tindell, Turnet (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Nafeh — 91.

Representatives present and not voting were: Brooks - 1.

A motion to reconsider was tabled

1

\*House Bill No. 3073 — Public Funds and Financing - Establishes procedure for investing bond proceeds in guaranteed investment contracts. Amends TCA Titles 5, 6, 9, and 12 by \*Kisher (SB3092 by \*Henry)

Rep. Kisber moved that House Bill No. 3073 be passed on third and final consideration.

On motion, Rep. Head withdrew Finance, Ways and Means Committee Amendment No.

Rep. Kisber moved adoption of Amendment No. 2 as follows:

### Amendment No. 2

AMEND House Bill No. 3073 by inserting in subdivision (n)(3) of Section 4 of the printed bill ", or its equivalent," after the language "at least AA" and deleting the language "pro-rata" in the amendatory language of subdivision (n)(4) of Section 4 of the printed bill.

AND FURTHER AMEND by deleting Sections 1, 2, and 3 of the printed bill and renumbering remaining sections accordingly.

On motion, Amendment No. 2 was adopted.

Rep. Kisber moved that **House Bill No. 3073**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	n

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Bowers, Boyer, Birley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry, J. DeBerry, Lounn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonalid, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Sorgogs, Sharp, Shaw, Shapard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh – 94.

A motion to reconsider was tabled.

House Bill No. 2509 -- Fines and Penalties - Clarifies that fine imposed for violation of reduced speed limit while construction workers are present is not less than \$250 nor more than \$500. Amends TCA Section 55-8-152. by 'Briley. ('SB2181 by 'Cohen)

On motion, House Bill No. 2509 was made to conform with Senate Bill No. 2181; the Senate Bill was substituted for the House Bill.

Rep. Briley moved that **Senate Bill No. 2181** be passed on third and final consideration, which motion prevailed by the following vote:

Representatives voting aye were: Armstrong, Arnola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Friely, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kilsher, Langsler, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odorn, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sangent, Szorgos, Sharp, Shaw, Shapard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Sheliby), Turner (Davidson), Vincent, Walker, West Westmoreland White Winston Windle

A motion to reconsider was tabled

House Bill No. 2269 — Funeral Directors and Embalmers - Authorizes motorcycle escorts of funeral processions to use strobe lights during such processions if sheriff agrees. Amends TCA Section 55-8-183, by "Fitzhugh. (

On motion, House Bill No. 2269 was made to conform with Senate Bill No. 2317; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 2317 be passed on third and final consideration.

On motion, Rep. Ridgeway withdrew Transportation Committee Amendment No. 1.

Rep. Fitzhugh moved that **Senate Bill No. 2317** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Butthy, Casada, Chumeny, Clem, Cole (Carler), Cole (Cyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry I, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Carrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Prutt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitston, Windle, Winningham, Wood, Mr. Soeaker, Naideh – 92.

A motion to reconsider was tabled.

House Bill No. 2259 — Hospitals and Health Care Facilities - Requires licensed health care facilities to report certain unusual events. Amends TCA Title 68, Chapter 11. by \*DeBerry L, \*DeBerry J, \*Black, (\*SB2316 by \*Ford J)

On motion, House Bill No. 2259 was made to conform with Senate Bill No. 2316; the Senate Bill was substituted for the House Bill.

Rep. L. DeBerry moved that Senate Bill No. 2316 be passed on third and final consideration.

On motion, Rep. Armstrong withdrew Health and Human Resources Committee Amendment No. 1.

On motion, Rep. Armstrong withdrew Health and Human Resources Committee Amendment No. 2.

Rep. L. DeBerry moved that **Senate Bill No. 2316** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes9	3
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Biley, Brooks, Brown, Buck, Bunch, Buthry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J. DeBerry L. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Glevens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDanlel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shapard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West Westmoreland White Whiston Windle Winningham Wood, Mr. Speaker Naifeh – 93.

A motion to reconsider was tabled.

\*House Bill No. 2047 - Local Education Agency - Increases maximum size of county school boards from 10 to 12 members. Amends TCA Section 49-2-201. by \*Sands. (SB2018 by \*Blackburn)

On motion, House Bill No. 2047 was made to conform with Senate Bill No. 2018; the Senate Bill was substituted for the House Bill.

Rep. Sands moved that **Senate Bill No. 2018** be passed on third and final consideration, which motion prevailed by the following vote:

Representatives voting aye were: Armstrong, Arnolia, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J., DeBerry L. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Friely, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odorn, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sangent, Szorgos, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Sheltby), Turner (Davidson), Vincent, Walker, West Westmoreland White Whiston Windle Winningham, Wood Mr. Sneaker Naifeh – 94.

A motion to reconsider was tabled

"House Bill No. 2822 — Workers' Compensation - Prohibits physicians and hospitals from making separate charge for providing medical or anatomical impairment rating when medical records are requested in workers' compensation cases. Amends TCA Title 50, Chapter 6, Title 63, Chapter 2 and Title 68, Chapter 11, Part 3. by "Sands, (SB2288 by Trail)

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

# REGULAR CALENDAR, CONTINUED

On motion, House Bill No. 2822 was made to conform with Senate Bill No. 2898; the Senate Bill was substituted for the House Bill.

Rep. Sands moved that **Senate Bill No. 2898** be passed on third and final consideration, which motion prevailed by the following vote:

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Bowers, Boyer, Billey, Brooks, Brown, Bunch, Buttly, Casada, Chumney, Clem, Cole (Carter), Cole (Cyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J. DeBerry I. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fralley, Carrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McClamel, McChonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Prinon, Pleasant, Prutt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shapard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitston, Windle, Winningham, Wood, Mr. Soeaker, Naideh – 92.

A motion to reconsider was tabled.

\*House Bill No. 2896 — Correction, Dept. of - Authorizes director of internal affairs and internal affairs investigators within department to carry weapons when performing job duties. Amends TCA Title 4, Chapter 3, Part 6. by \*Westmoreland. (SB2943 by \*Williams, Sen.)

On motion, House Bill No. 2896 was made to conform with Senate Bill No. 2943; the Senate Bill was substituted for the House Bill.

Rep. Westmoreland moved that Senate Bill No. 2943 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Westmoreland moved that **Senate Bill No. 2943** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	1
Noes	1
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beawers, Bittle, Black, Bone, Bowers, Boyer, Biley, Brown, Buck, Bunch, Butty, Casada, Chumeny, Clam, Cole (Catrel), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Carrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kemell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Mongamery, Mumpower, Newton, Odorn, Overbey, Patton, Phelan, Phillips, Pinion, Pieasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Towns, Turmer (Hamilton), Turmer (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr., Speaker Nafeh — 91.

Representatives voting no were: Brooks - 1.

Representatives present and not voting were: Cooper - 1.

A motion to reconsider was tabled

"House Bill No. 2906 -- Food and Food Products - Requires school food establishments to pay permit fee of \$80.00 to operate such establishment. Amends Title 68, Chapter 14, Part 3. by "McDaniel. (S82953 by "Clabough)

Rep. McDaniel moved that **House Bill No. 2906** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
None	0

Representatives voting aye were: Armstrong, Arnola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Friely, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sangent, Szorgos, Sharp, Shaw, Shapard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Qavidson), Vincent, West, Westmoreland, While Whitson, Windle Winnionham Wood Mr. Sneeker Naifeh — 33.

A motion to reconsider was tabled

\*House Joint Resolution No. 125 — Highway Signs - "Robb Robinson Parkway," Old Hickory Blvd. (S.R. 45) from I-65 to Lebanon Road (U.S. 70) in Davidson County, by \*Turner (Davidson), \*Ridgeway, \*Buck.

Rep. Turner (Davidson) moved that House Joint Resolution No. 125 be adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

### Amendment No. 1

AMEND House Joint Resolution No. 125 by adding the following new resolving clause immediately preceding the final resolving clause:

BE IT FURTHER RESOLVED, That this resolution shall become perative only if a person or entity other than the state of Tennessee silenter remits the estimated cost of the erection of such signs to the department or transportation within one (1) year of the effective date of this resolution or manufactures such signs as provided below. Such person or entity shall make such payment prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to such person or entity within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, such person or entity shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department. Such person or entity may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Turner (Davidson) moved that **House Joint Resolution No. 125**, as amended, with the request that all members voting aye be added as sponsors, be adopted, which motion prevailed by the following vote:

Ayes	S	95
Noos	e	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Birley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J., DeBerry L., Dunn, Ferguson, Fizhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagodt, Hargeth, Hargrove, Harwell, Head, Hood, Johnson, Jones S., Jones U., Kertl, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Philine, Pleasant, Prutt. Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Towns, Turrer (Hamilton), Turmer (Sheibly), Turmer (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Nalién – 92.

A motion to reconsider was tabled.

\*House Bill No. 2390 - Uniform Commercial Code - Revises UCC Article 9 with respect to notice and foreclosure to enforce security interest. Amends TCA Title 47, Chapter 9. by \*Bunch. (SB2409 by \*Norris)

Rep. Bunch moved that House Bill No. 2390 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

#### Amendment No. 1

AMEND House Bill No. 2390 by deleting the amendatory language from Section 1 and by substituting instead the following:

(B) within thirty (30) days after receipt of a request.

AND FURTHER AMEND, by deleting Section 2 and by substituting instead the following:

Section 2. Tennessee Code Annotated, Section 47-9-616(b), is amended by deleting the semi-colon and word  $^{\circ}$ or at the end of (b)((1)(B) and adding instead a period, and by deleting item (2) in its entirety.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Bunch moved that **House Bill No. 2390**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L.), DeBerry L. Dunn, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagoot, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McChanel, McChonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Starley, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Bavidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr., Speaker Naifeh – 92.

A motion to reconsider was tabled.

### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

#### REGULAR CALENDAR, CONTINUED

House Bill No. 3201 — Sumner County - Subject to local approval, creates additional general sessions court to be designated as Division III with judge thereof to be elected in August of 2004. Amends Chapter 236 of the Private Acts of 1982. by "McDonald. (SB3159 by "Graves)

Further consideration of House Bill No. 3201 previously considered on today's Calendar.

On motion, House Bill No. 3201 was made to conform with Senate Bill No. 3159; the Senate Bill was substituted for the House Bill.

Rep. McDonald moved that Senate Bill No. 3159 be passed on third and final consideration

Rep. Kisber moved adoption of Amendment No. 1 as follows:

### Amendment No. 1

AMEND Senate Bill No. 3159 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 8. This act shall take effect only if the cost of providing any additional assistant district attorney general, assistant public defender, or other costs associated with the judgeship created by this act are funded by Sumner County, Tennessee, and such funding continues for the term of the judgeship created by this act.

On motion, Amendment No. 1 was adopted.

Rep. McDonald moved that **Senate Bill No. 3159**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	9	3
·iooo		n

Representatives voting aye were: Armstrong, Arnolia, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L.), DeBerry L. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Friely, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odorn, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Sorgogs, Sharp, Shaw, Shapard, Stanley, Tidwell, Tindell, Towns, Turmer (Hamilton), Turner (Shelby), Vincent, Walker, West. Westmoreland, White, Whitson, Windle, Winninoham, Wood, Mr. Speaker Naideh – 93.

A motion to reconsider was tabled.

# MESSAGE CALENDAR

### HOUSE ACTION ON SENATE MESSAGE

\*Senate Bill No. 2052 — Sunset Laws - Mountain Valley economic opportunity authority, June 30, 2008. Amends TCA Tritle 4, Chapter 29 and Tritle 71, Chapter 5. by \*Harper, \*Burchett, \*Trail. (HB2175 by \*Kernell, \*Brooks, \*Cooper B)

Rep. Kernell moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to Senate Bill No. 2052, which motion prevailed.

### HOUSE ACTION ON SENATE AMENDMENTS

"House Bill No. 565 - Employees, Employers - Authorizes employer whose employee has suffered violence or credible threat of violence at employee's workplace to seek and obtain temporary restraining order and injunction prohibiting further violence or threat of violence at workplace or while employee is acting within course and scope of employment. Amends TCA. Title 50 and Title 20. by 'Black, 'Cole (Dyer), 'Beavers, 'Sargent, 'Rowland, 'Bowers, (SB1035 by 'Ramsev, 'Williams, Sen.)

### Amendment No. 2

AMEND House Bill No. 565 By deleting the language of the effective date section and by substituting instead the following:

This act shall take effect July 1, 2002, the public welfare requiring it.

Rep. Black moved that the House concur in Senate Amendment(s) No(s). 2 to **House**Bill No. 565, which motion prevailed by the following vote:

Ayes	9	1
Noon		n

Representatives voting aye were: Armstrong, Arnola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry, L. Dunn, Fergueson, Fitzhugh, Ford, Fowlkes, Fralley, Garrett, Givens, Godsey, Gonis, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kremell, Kisher, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgorny, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Prutt. Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tinfell Towns, Tumer (Hamilton), Turner (Gavidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Soeaker Naffeh — 91.

A motion to reconsider was tabled.

#### UNFINISHED BUSINESS

### BILLS WITHDRAWN

On motion of Rep. Pleasant, **House Bill No. 2424** was recalled from the Government Operations Committee and withdrawn from the House.

On motion of Rep. McDonald, House Bill No. 2998 was withdrawn from the House.

On motion of Rep. McDonald, House Bill No. 2999 was withdrawn from the House.

On motion of Rep. Patton, **House Bill No. 2478** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Walker, House Bill No. 2910 was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Black, House Bill No. 3226 was withdrawn from the House.

### NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on March 21, 2002:

House Bill No. 1267: by Rep. Windle

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for March 14, 2002:

House Resolution No. 223 -- Memorials. Retirement - Ray Melton, by \*Newton.

House Resolution No. 224 - Memorials, Death - Susye Mack Rucker, by \*Hood.

House Resolution No. 225 - Memorials, Recognition - Florence Wilson Smith. by \*Hood

House Resolution No. 227 -- Memorials, Public Service - Rosemary Wade Owens. by \*Hood

House Resolution No. 226 - Memorials, Personal Occasion - Mr. and Mrs. Frank Jenkins, 50th Wedding Anniversary. by \*Patton.

House Resolution No. 228 — Memorials, Recognition - Metropolitan Nashville Chapter of National Coalition of 100 Black Women, Inc., host of 5th Annual Sister for Sister Conference, by \*Pruitt.

House Joint Resolution No. 734 - Memorials, Death - Randall Shane Cooper. by \*Windle.

House Joint Resolution No. 736 -- Memorials, Recognition - American Automobile Association, 100th anniversary. by \*Hood.

House Joint Resolution No. 737 -- Memorials, Death - Richard Binkley. by \*Phelan, \*Maddox, \*Pinion.

House Joint Resolution No. 738 - Memorials, Personal Occasion - Alice Buiter, 100th birthday, by \*Ford S.

House Joint Resolution No. 739 - Memorials, Death - Otis Green "Cokie" Neely. by \*Maddox, \*Phelan.

 $\label{eq:house_Joint_Resolution_No.744} \ -- \ \ \mbox{Memorials, Death - Reverend Sylvester Williams.} \\ \ \mbox{by *DeBerry L, *Bowers.}$ 

# SUPPLEMENTAL CONSENT CALENDAR

House Resolution No. 223 - Memorials, Retirement - Ray Melton. by \*Newton.

House Resolution No. 224 - Memorials, Death - Susve Mack Rucker, by \*Hood.

House Resolution No. 225 - Memorials, Recognition - Florence Wilson Smith. by \*Hood.

House Resolution No. 227 - Memorials, Recognition - Rosemary Wade Owens. by \*Hood

House Resolution No. 226 - Memorials, Personal Occasion - Mr. and Mrs. Frank Jenkins, 50th Wedding Anniversary, by \*Patton.

House Resolution No. 228 — Memorials, Recognition - Metropolitan Nashville Chapter of National Coalition of 100 Black Women, Inc., host of 5th Annual Sister for Sister Conference. by \*Pruitt.

House Joint Resolution No. 734 - Memorials, Death - Randall Shane Cooper. by \*Windle

House Joint Resolution No. 736 -- Memorials, Recognition - American Automobile Association, 100th anniversary, by \*Hood.

House Joint Resolution No. 737 -- Memorials, Death - Richard Binkley. by \*Phelan, \*Maddox \*Pinion.

House Joint Resolution No. 738 - Memorials, Personal Occasion - Alice Buiter, 100th birthday, by \*Ford S.

House Joint Resolution No. 739 — Memorials, Death - Otis Green "Cokie" Neely. by \*Maddox. \*Phelan.

House Joint Resolution No. 744 -- Memorials, Death - Reverend Sylvester Williams. by \*DeBerry L, \*Bowers.

Rep. Maddox moved that all members voting aye on House Joint Resolution No. 739 be added as sponsors, which motion prevailed.

Rep. Pruitt moved that all members voting aye on House Resolution No. 228 be added as sponsors, which motion prevailed.

Rep. Hood moved that all members voting aye on House Joint Resolution No. 736 be added as sponsors, which motion prevailed.

Rep. Bowers moved that all members voting aye on House Joint Resolution No. 744 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**. Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	 g	13
Noes		(

Representatives voting aye were: Armstrong, Arniola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisher, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odorn, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sangent, Scroggs, Sharp, Shaw, Shapard, Stalney, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West Westmoreland White Whitson Windle Winningham, Wood Mr. Sneaker Naifen – 93.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Hood moved that the rules be suspended for the purpose of introducing House Resolution No. 229 out of order, which motion prevailed.

House Resolution No. 229 - Memorials, Recognition - Rickey O'Neal Field. by \*Hood.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hood, the resolution was adopted.

A motion to reconsider was tabled

### RULES SUSPENDED

Rep. Hood moved that the rules be suspended for the purpose of introducing House Resolution No. 230 out of order, which motion prevailed.

House Resolution No. 230 - Memorials, Public Service - Andy Womack. by \*Hood.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hood, with the request that all members voting aye be added as sponsors, the resolution was adopted.

A motion to reconsider was tabled.

#### SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2224: Rep(s). West as prime sponsor(s).

House Bill No. 2280: Rep(s). Maddox, S. Jones, Overbey, Arriola, Ferguson, Clem, L. DeBerry, Turner (Hamilton) and Johnson as prime sponsor(s).

House Bill No. 2450: Rep(s). Black as prime sponsor(s).

House Bill No. 2519: Rep(s). Langster as prime sponsor(s).

House Bill No. 2535: Rep(s), Langster and Pruitt as prime sponsor(s).

House Bill No. 2656: Rep(s), McDonald as prime sponsor(s).

House Bill No. 2992: Rep(s). Langster as prime sponsor(s).

House Bill No. 3015: Rep(s). Arriola and Overbey as prime sponsor(s).

House Bill No. 3161: Rep(s), Langster as prime sponsor(s).

# ENGROSSED BILLS March 14, 2002

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2055, 2357, 2368, 2390, 2403, 2694, 2906, 2975, 3014, 3073, 3101, 3218, 3219, also, House Joint Resolution(s) No(s). 125, 694, 695, 696, 697, 699, 700, 701, 702, 703, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 716, 717, 720, 721, 722, 725, 728, 730, 731, 732, 733, 734, 736, 737, 738, 739 and 744.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

### ENROLLED BILLS March 14, 2002

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) Ro(s). 207, 208, 209, 212, 217, 218, 219, 220, 221, 233, 224, 225, 226, 227, 228, 229 and 230; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS. Chief Engrossing Clerk.

### SIGNED March 14, 2002

The Speaker signed the following: House Resolution(s) No(s). 207, 208, 209, 212, 217, 218, 219, 220, 221, 223, 224, 225, 226, 227, 228, 229 and 230.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

### ENROLLED BILLS March 14, 2002

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 565.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

# SIGNED March 14, 2002

The Speaker signed the following: House Bill(s) No(s), 565.

BETTY KAY FRANCIS. Chief Engrossing Clerk.

### MESSAGE FROM THE GOVERNOR March 14, 2002

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 715 and 724, with his approval.

JAY BALLARD. Counsel to the Governor.

# CONSENT CALENDAR March 14, 2002

The following local bills have been placed on the Consent Calendar for March 18, 2002: House Bill(s) No(s). 3217, 3223, 3227, 3228, 3229, 2459, 3233 and 3239.

### ROLL CALL

The roll call was taken with the following results:	
Present	9

Representatives present were Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Casada, Chumeny, Clem, Cole (Carter), Cole (Dyer), Cooper, Curliss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J., Dunn, Ferguson, Filzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harweil, Head, Hood, Johnson, Jones S, Jones U, Kenrt, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Prilino, Pleasant, Prultt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Towns, Turner (Hamilton), Turmer (Robelly), Turner (Qavidson), Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Nalfén – 92.

### RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 5:00 p.m., Monday, March 18, 2002.